

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

UNITED STATES OF AMERICA

VS.

**CHALMES BEMBRY,**

Supervised Releasee

NO. 5: 98-CR-58 (HL)

**RE: VIOLATION OF SUPERVISED RELEASE**

<b>ORDER</b>
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CHALMES BEMBRY, a **SUPERVISED RELEASEE** in the above-styled criminal proceeding, this day appeared before the undersigned for a Detention Hearing under provisions of Rule 32.1 of the Federal Rules of Criminal Procedure, represented by Ms. Demetria Nicole Williams of the Federal Defenders Office. The government was represented by Assistant U. S. Attorney Charles L. Calhoun.

Upon consideration of the provisions of 18 U.S.C. §3143(a), the court finds that release from custody at this time is inappropriate in this case. It is alleged in the AMENDED PETITION FOR ACTION ON SUPERVISED RELEASE that on or about October 25, 2007, the **SUPERVISED RELEASEE** failed to refrain from violating federal law by committing the [new] offense of Possession of Crack Cocaine in violation of 21 U.S.C. §844(a) and 18 U.S.C. §2, as charged in an indictment in Criminal No. 5:08-CR-46 (HL). The weight of evidence appears to be strong; the **SUPERVISED RELEASEE** faces not only revocation herein but also imprisonment in the new prosecution. He has a history of drug convictions going back to 1976. In addition, it is noted that the **SUPERVISED RELEASEE** did not contest the government's request for detention pending his Final Revocation Hearing.<sup>1</sup>

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<sup>1</sup> It is further noted that no preliminary hearing is required herein in light of the return of a true bill of indictment of the **SUPERVISED RELEASEE** in Criminal No, 5:08-CR-46(HL).

Accordingly, IT IS ORDERED AND DIRECTED that CHALMES BEMBRY be **DETAINED** by the United States Marshal pending disposition of a Final Revocation Hearing. While held in custody, said **SUPERVISED RELEASEE** shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility wherein he is confined shall deliver him to the United States Marshal for the purpose of an appearance in connection with this court proceeding. Said **SUPERVISED RELEASEE** shall appear before the district judge to whom this case is assigned for a FINAL HEARING as directed by that judge. The Clerk of Court is directed to forward this order and the within file to the appropriate district judge for the scheduling of said FINAL HEARING at the earliest possible time.

SO ORDERED AND DIRECTED, this 15<sup>th</sup> day of AUGUST, 2008.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE